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# Flanigan Sent Note on ITT

By Mike Shanahan

Presidential aide Peter Flanigan said yesterday that shortly before settlement of antitrust suits against International Telephone & Telegraph Corp. he told Richard G. Kleindienst that the company would make a last-ditch fight in the Supreme Court.

Kleindienst, then deputy attorney general, testified before the Senate Judiciary Committee last month that he had no memory of conversations with White House aides about the ITT affair.

But Flanigan said in a letter to the committee chairman that he carried to Kleindienst a message of desperation from ITT director Felix G. Rohatyn saying that the company would reject a settlement proposed by Richard W. McLaren, then assistant attorney general in charge of the Justice Department's Antitrust Division.

Flanigan wrote that on June 29, 1971, he met with Rohatyn, who "indicated his belief that the proposal was so tough as to be unacceptable to the company that the company intended to continue to fight the suits in court."

A few days later, Flanigan said in his letter to Chairman James O. Eastland (D-Miss.), he met with Kleindienst and "passed on to him the Rohatyn comment and my reply."

Flanigan said his reply to Rohatyn and Kleindienst's reply to him was the same: McLaren was handling the case alone.

Shortly after Flanigan's letter was made public, Sen. Edward M. Kennedy (D-Mass.), issued a statement saying, "The conflicting statements of Mr. Flanigan and Mr. Kleindienst about the White House involvement in the settlement of the ITT case require that both of them return to testify fully to the Judiciary Committee before we can make an informed recommendation to the Senate on this matter."

"I intend to make such a motion at Wednesday's executive session of the committee."

Last Thursday the committee concluded a lengthy rehearing on Kleindienst's nomination to succeed John N. Mitchell as attorney general.

The rehearing began March 1 at Kleindienst's request, to examine a claim by columnist Jack Anderson that the ITT settlement was linked to a pledge of financial support by the conglomerate for the Republican National Convention scheduled next August in San Diego, Calif.